

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley, <i>Co-Chair</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Elliot R. Feldman, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
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VIA ECF AND UPS OVERNIGHT MAIL

May 21, 2015

The Honorable Frank Maas
United States District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 740
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (FM)

Dear Judge Maas:

On May 14, 2015, Your Honor entered a further scheduling order relating to discovery proceedings in the above-referenced matter. With respect to the amendment of initial disclosures, the Order provided that "By July 30, 2015, *Plaintiffs* shall submit Amended Initial Disclosures, pursuant to Rule 26(a)(1)." ECF No. 2953 (emphasis supplied).

Although much of the dialogue at the May 13, 2015, conference focused on the amendment of plaintiffs' initial disclosures, the defendants' own submissions contemplated that the deadline for amendment of initial disclosures would apply to both plaintiffs and the merits discovery defendants. *See* March 16, 2015, letter of Defendants' Executive Committee, ECF No. 2935, at p. 4. ("Defendants further request that Court set a deadline of June 30, 2015, for the Plaintiffs and the Defendants in merits discovery to supplement their Rule 26(a)(1) Initial Disclosures....").

Consistent with the defendants' own proposal, plaintiffs respectfully request that the Court issue an order requiring that the merits discovery defendants be required to submit Amended Initial Disclosures, pursuant to Rule 26(a)(1), by July 30, 2015. A proposed form of Order is enclosed for the Court's consideration.

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Finally, plaintiffs believe it would be appropriate and helpful to establish a deadline for defendants engaged in jurisdictional discovery to provide Initial Disclosures pursuant to Rule 26(a)(1). As the parties have not yet conferred about that issue, plaintiffs intend to present a proposal to the jurisdictional discovery defendants, before presenting any proposal to the Court.

Respectfully submitted,

/s/ Sean P. Carter

Sean P. Carter, Esq.

THE MDL 1570 PLAINTIFFS' EXECUTIVE
COMMITTEES

SPC/bdw

cc: The Honorable George B. Daniels (via Overnight Mail)
MDL-1570 Counsel of Record (via ECF)